

## II. REMARKS

This paper is filed in response to the Restriction Requirement dated March 25, 2009, in connection with the above-identified patent application.

By this amendment, claims 8, 10-12, 16, 21-24, and 26-28 are amended. Support for the amendments can be found in the specification and claims as originally filed. For example, claims 8, 10-12, 16, 21-24, and 26-28 have been amended to remove preferred subject matter. Applicants submit that no new matter has been added.

The Restriction Requirement asserted that the claims define four (4) allegedly independent and distinct inventions and required the Applicant to elect one of the following four inventions:

Group I. Claims 1-16, drawn to a method of making a composition.

Group II. Claims 17, drawn to a method of using a composition.

Group III. Claims 18 and 29, drawn to products.

Group IV. Claims 19-28, drawn to a method of refining a composition

Applicants hereby provisionally elect Group I, claims 1-16, drawn to drawn to a method of making a composition, with traverse. Applicants reserve the right to file one or more divisional applications to the non-elected subject matter.

This election is made with traverse. Applicants submit that under PCT Rule 13, Applicants are entitled to "an independent claim for a given product, an independent claim for a process specially adapted for the manufacture of said product, and an independent claim for a use of the said product" for prosecution in the present application (MPEP § 1850 (III)(1)). Therefore, we believe that at least Groups I, II, and III should be prosecuted together.

Further, traversal is on the grounds that the burden on the Patent Office to


consider all of the groups of claims together is less than the burden on Applicants/the public to prosecute/search the applications/patents separately.

In the event that this Restriction Requirement is maintained, Applicants expressly retain the right to seek rejoinder of the restricted claims, as appropriate, upon receipt of an indication of allowable subject matter. Reconsideration and withdrawal of the Restriction Requirement and consideration and allowance of all pending claims are respectfully requested.

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It is believed that extensions of time are not required for consideration of this document. However, in the event that additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required are hereby authorized to be charged to our Deposit Account No. 01-2300 referencing docket number **019075-00071**.

Respectfully submitted,



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